RECEIVED CENTRAL FAX CENTER

DEC 0 5 2006

COVER PAGE LISTING DOCUMENTS BEING TRANSMITTED VIA FACSIMILE

2 Pages Via Facsimile: 571-273-8300 Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450		I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office (lax no. 571-273-8300) on December 5, 2006. Lesteigh Druy		
Regarding the follo	wing Application:		· ·	
Applicant(S):	STEINER, Mitchell S. et al.	Examiner:	SCHNIZER, HOLLY G.	
Scrial No./ Patent No.:	09/449,817	Group Art Unit:	1656	
Filed/Issued Date:	November 26, 1999	Attorney Docket No.	: P-2762-US1	
Title:	ISOLATED NUCELIC ACID ENCODING P-HYDE PROTEIN AND METHODS OF INDUCING SUSCEPTIBLITY TO INDUCTION OF CELL DEATH IN CANCER			
Please find: 1. Provisional Cover Sheet 2. Utility Patent Application Transmittal 3. RCE Transmittal Sheet 4. Pee Transmittal Sheet 5. Patent Application Under 35 USC 111(a) Provisional Patent Application Under 35 USC 111(b) Transmittal Sheet for Entering National Phase Containing: Pages of Specification Pages of Claims Page of Abstract Pages of Formal Drawings Pages of Signed Declaration & Power of Attorney 7. Request for Correction of Recordation of Assign. and: Recordation Cover Sheet		10. Response to No. 11. Request for Co. 12. Information D - Form PTO/S 13. Preliminary A 14. Response to Odated 15. Petition for a Co. 16. Notice of Appel 17. Issue Fee Transition of Sheets of Copy of Priorical 20. Claim for Condicated 19. Revocation an - Statement University of Co. 19. Revocation an - Statement University of Co. 10. Revocation and - Statement University of Co. 10. Revocatio	One Month(s) Extension of Time al	
- Copy of Notice of Recordation of Assign. 8. Recordation of Assign. Cover Sheet & Signed Assign.		- Copy of Assig	- Copy of Assignment	

RECEIVED CENTRAL FAX CENTER No. 2942

DEC 0 5 2006

PTO/SB/31 (08-00) Approved for use through 10/31/2002. OMB 0651-0031 Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays

a valid OMB control number, NOTICE OF APPEAL FROM THE EXAMINER TO THE Docket Number (Optional) **BOARD OF PATENT APPEALS AND INTERFERENCES** P-2762-US1 In re Application of STEINER, Mitchell S. Et al. Application Number 09/449,817 Filed November 26, 1999 ISOLATED NUCELIC ACID ENCODING P-HYDE PROTEIN AND METHODS OF INDUCING SUSCEPTIBLITY TO INDUCTION OF CELL DEATH IN CANCER Group Art Unit 1656 SCHNIZER, HOLLY G. Examiner Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated, June 21, 2006, rejecting the following claims: 1, 7, 10, 11, 18-27, 56, 59 and 60 The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 500 П Applicant is a small entity under 37 CFR 1.9 and 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: A check in the amount of the fee is enclosed. Payment is by credit card. Form PTO-2038 is attached. The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. \boxtimes The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-3355. I have enclosed a duplicate copy of this sheet. A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. I am the applicant. assignee of record of the entire interest. Slanature Mark S. Cohen attorney or agent of record. Reg. No. 42,425 Typed or printed name attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a). Pearl Cohen Zedek Latzer, LLP 1500 Broadway, 12th Floor December 5, 2006 New York, New York 10036 Date Tel: (646) 878-0800

Fax: (646) 878-0801 Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

12/06/2006 LWDNDIH1 00000009 503355 09449817

01 FC:1401

500.00 DA.